

# EXHIBIT A

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE COMPLAINT

of

TAPPAN ZEE CONSTRUCTORS, LLC,  
as owner of 2007 Lobell Boat, Serial Number  
L0A11504J607, FOR EXONERATION FROM  
OR LIMITATION OF LIABILITY,

Petitioner.  
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Case No. 1:17-cv-168 (MAD/CFH)

**ORDER RESTRAINING SUITS,  
APPROVING PETITIONER'S  
SECURITY AND DIRECTING  
ISSUANCE OF NOTICE AND  
FILING OF CLAIMS**

On February 14, 2017, petitioner Tappan Zee Constructors, LLC (hereinafter "Petitioner") filed a Complaint for Exoneration from or Limitation of Liability regarding 2007 Lobell Boat, Serial Number L0A11504J607, pursuant to 46 U.S.C. §§ 30501, *et seq.*, and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions for any damages and/or injuries caused by or resulting from an incident occurring on or about September 17, 2013 in the navigable waters of the Hudson River. *See* Complaint, Docket No. 1, Exhibit B). Petitioner therein sought approval of an *Ad Interim* Security Bond as security, a restraint on all actions and proceedings against it, and the requisite publication of notice. *Id.* Having considered Petitioner's submission, the court orders as follows:

**ORDERED** that Petitioner's motions to approve security, enjoin suits, and direct issue of notice are **GRANTED**; and it is further

**ORDERED** that in reliance on the assertion in the Complaint that Petitioner's interest in the Vessel after the subject incident does not exceed \$62,000.00, and the *Ad Interim* Security

Bond in the amount of \$62,000.00 with six percent (6%) interest per annum from the date hereof filed by Petitioner for the benefit of any and all claimant(s) as security representing Petitioner's interest in the Vessel and the costs pursuant to Rule F(f)(1) of the Local Rules of Procedure for Admiralty and Maritime Claims is approved; and it is further

**ORDERED** that the Court, only upon motion and good cause shown, shall cause appraisalment of the value of the Vessel and may thereupon order said security increased or reduced if it finds the amount thereof insufficient or excessive; and it is further

**ORDERED** that any claimant in these proceedings may express, upon good cause shown and by written notice filed with the Court and served upon all parties of record, its dissatisfaction with Westchester Fire Insurance Company, as surety. In the event of such notice, Petitioner shall within thirty (30) days of the entry of order by the court concerning the surety, cause security to be posted in the form provided by Supplemental Rule F(1) and satisfactory to this Court, failing which the injunction entered concurrently will be vacated as to all claimants, and the Court will issue further orders as required; and it is further

**ORDERED** that once Supplemental Rule F(1) is complied with, that the further prosecution of any and all actions, suits and proceedings already commenced and the commencement or prosecution of any and all suits, actions, or proceedings of any nature and description in any Court of any jurisdiction, or otherwise, against the Petitioner, the Vessel and insurer, and the taking of any steps and the making of any motion in such actions, suits or proceedings except in this action to recover damages for or in respect to the September 17, 2013 incident alleged in the Complaint are restrained, stayed, and enjoined until the hearing and determination of this action, and all warrants of arrest and/or attachment issued or sought in such

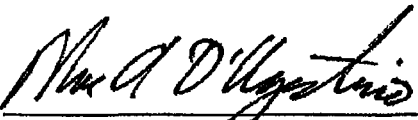
other suits, actions or legal proceedings are dissolved and further warrants of arrest and/or attachment are prohibited; and it is further

**ORDERED** that a Notice shall be issued by the Clerk to all persons asserting claims or suits with respect to which the Complaint seeks limitation admonishing them to file their respective claims with the Clerk, in writing, and to serve on the attorneys for Petitioner a copy thereof, on or before May 1,, 2017, or be defaulted; and that if any claimant desires to contest either the right to Exoneration from or the right to Limitation of Liability, such claimant shall file and serve on attorneys for Petitioner, Brendan E. McKeon, Esq., Flicker, Garelick & Associates, LLP, 45 Broadway, New York, New York, 10006, an Answer to the Complaint on or before said date, unless the claim has included an Answer to the Complaint, so designated, or be defaulted; and it is further

**ORDERED** that Petitioner shall publish the Notice in Newsday and The Daily Freeman, newspapers with a general circulation including Ulster County, New York, once a week for four (4) successive weeks, the last publication to appear on or before May 1,, 2017 and copies of said Notice shall be mailed by Petitioner in accordance with Supplemental Rule F to every person known to have made any claim against the Vessel, Petitioner or its attorneys.

**IT IS SO ORDERED.**

March 17, 2017  
Albany, New York

  
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Mae A. D'Agostino  
United States District Judge